

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
CLERK AT LYNCHBURG, VA  
FILED

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JOHN F. O'ROURKE, CLERK  
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JOSEPH MITCHELL MILLER, ET AL.,

CIVIL No. 3:06cv00020

*Plaintiffs,*

v.

ORDER

DOGWOOD VALLEY CITIZENS ASSOCIATION,  
INC., ET AL.,

JUDGE NORMAN K. MOON

*Defendants*

This matter is before the Court on Defendants' Motion to Dismiss, filed on June 6, 2006 (docket entry no. 10) and Defendants' Motion to Dismiss Amended Complaint, filed on August 31, 2006 (docket entry no. 28). For the reasons stated in the accompanying memorandum opinion, Defendants' motions are hereby DENIED.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED:

*Norman K. Moon*  
United States District Judge

*November 13, 2006*  
Date